

**REMARKS**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1, 2, 4-11, and 13-17 are presently pending in the present application. Claims 1, 4, 5, and 10 have been amended by way of the present Amendment. Claims 3 and 12 have been canceled without prejudice or disclaimer. No new matter is introduced by this amendment.

Applicants respectfully request entry of the amendments set forth herein as the amendments merely incorporate subject matter from dependent claims into the independent claims and present rejected claims in better form for consideration on appeal.

In the outstanding Office Action, claim 1 was objected to for minor informalities; claims 1, 2, 6-11, and 15-17 as obvious under 35 U.S.C. § 103 based on *Pruthi et al.* (U.S. Pub. No. 2002/0105911) in view of *Bahadiroglu* (U.S. Pub. No. 2002/0186660); and claims 3-5 and 12-14 as obvious under 35 U.S.C. § 103 based on *Pruthi et al.* and *Bahadiroglu* in view of *Leftwich* (U.S. Patent No. 6,356,256).

The Office Action objected to claim 1 for the recitation of “the at least one service access point” and has suggested a change thereto. However, the Applicants note that no rationale has been provided for making such an objection, and the Applicants submit that making the change suggested might make the claim language unclear, since the same phrase also appears on the preceding line of the claim. Thus, if the claim were amended as suggested in the Office Action, then it would be unclear whether the second recitation of “at least one service access point” is different from or the same as the first recitation of “as least one service access point” in the preceding line of claim 1. Therefore, the Applicants respectfully traverse this objection, and respectfully request the withdrawal thereof.

With regard to the rejections of the claims as obvious under 35 U.S.C. §103(a), the Applicants note that the subject matter of claims 3 and 12 have been incorporated into independent claims 1 and 10, respectively. Accordingly, the discussion below is with respect to the obviousness rejection based on the combined teachings of *Pruthi et al.* and *Bahadiroglu* in view of *Leftwich*.

MPEP §2141 notes that the Patent Office bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. The Applicants submit that the Office Action fails to establish a *prima facie* case of obviousness, since there is no evidentiary support for the conclusion that the features recited in the claims were known at the time of the present invention. Accordingly, the Applicants request that such evidentiary support be placed on the record, or the obviousness rejections withdrawn.

Independent claim 1 recites a message analyzer comprising a display device for displaying, on a single screen, a first region and a second region, wherein the sequence of messages is read in by means of the selector from the storage device and displayed listed in the first region, wherein the selector determines a first characteristic feature of the messages which are transmitted via the at least one service access point and a course of the first characteristic feature is displayed on the display device in the second region, and wherein **the sequence of messages read in by the selector is dependent upon a selection with which a specific point of the course of the first characteristic feature is selectable in the second region**. Independent claim 10 recites a method comprising displaying the sequence of messages which is read in by the selector, in tabular form in a first region of a single screen of a display device, wherein a first characteristic feature of messages which are transmitted via at least one service access point is determined by the selector and a course of the first characteristic feature is displayed in a second region of the single screen of the display device, further comprising

**selecting, in the second region, a specific point of the course of the first characteristic feature; and reading in, by the selector, a sequence of messages dependent upon the specific point.** The Applicants submit that the applied references fail to disclose or suggest, either when taken singularly or in combination, all of the above features recited in claims 1 and 10 of the present application.

The Office Action cites *Pruthi et al.* for the teaching of a sequence of messages that is read in by means of a selector. The Office Action cites to paragraph [0036] of *Pruthi et al.*, which discusses a processor and query engine (316) that generates statistics corresponding to packets processed over a predetermined timer interval or sampling time. Thus, the generation of statistics is performed in an automatic manner based merely on a time interval and is not selectable using a display curve of the statistics or any other course of a characteristic feature.

The Office Action acknowledges on page 8 thereof that neither *Pruthi et al.* nor *Bahadiroglu* disclose a selection with which a specific point in the course of the first characteristic feature selected is selectable in the second region. The Office Action cites *Leftwich* for such a teaching. More specifically, the Office Action cites FIG. 4 and column 5, lines 20-41, of *Leftwich* for such a teaching.

*Leftwich* describes a display (shown in FIG. 4) that includes a window (36) that displays plots of two sets of data. A cursor (46) is also displayed in the window (36) and may be positioned by the user to access particular data points. As the cursor (46) is moved within the window (36), it is tracked by three displayed indicators (i.e., lines 47, 48, and 50) that indicate the position of the cursor (46) along the horizontal axis (38) and along the vertical axes (39 and 42), respectively. *Leftwich* further indicates that, by entering a particular input signal, such as the clicking of a mouse button, the user can cause the cursor to be "frozen" (stopped) on the display and the values of the data plots at the cursor position to be displayed in appropriate data

fields of window (36). Also, in FIG. 5, the GUI (23) is described as providing the ability for a user to "zoom in on" (enlarge) a portion of a plot. The Applicants submit, however, that *Leftwich* fails to supplement the deficiencies in the teachings of *Pruthi et al.* and *Bahadiroglu*.

At the outset, the Applicants note that, while the Office Action cites *Pruthi et al.* for the teaching of a sequence of messages that is read in by means of a selector and display of a course of a first characteristic feature of such messages, *Pruthi et al.* does not additionally disclose any selection by which a specific point on such a course can be selected in the second region to read in a sequence of messages. No such reading in of a sequence of messages dependent upon such a selection of a point of a course is disclosed or suggested in *Pruthi et al.* Furthermore, *Leftwich* merely describes a manner in which a cursor can be "frozen." No additional reading in of a sequence of messages is disclosed or suggested by the teaching in *Leftwich*. Thus, while *Leftwich* may aid in viewing a particular point on a data plot by freezing the cursor at that point, it does not disclose or suggest in any manner using a selector to read in a sequence of messages, absent the improper use of hindsight considerations.

Thus, the Applicants respectfully submit that the applied references, either when taken singularly or in combination, fail to disclose or suggest the limitation where **the sequence of messages read in by the selector is dependent upon a selection with which a specific point of the course of the first characteristic feature is selectable in the second region** as recited in claim 1, or **selecting, in the second region, a specific point of the course of the first characteristic feature; and reading in, by the selector, a sequence of messages dependent upon the specific point**, as recited in claim 10. Accordingly, the Applicants respectfully request the withdrawal of the obviousness rejection of independent claims 1 and 10.

The dependent claims are considered allowable for the reasons advanced for the independent claim from which they depend. These claims are further considered allowable as

they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9957 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

March 25, 2009  
Date

/Christopher D. Ward/  
Christopher D. Ward  
Attorney/Agent for Applicant(s)  
Reg. No. 41,367

Phouphanomketh Ditthavong  
Attorney/Agent for Applicant(s)  
Reg. No. 44,658

918 Prince Street  
Alexandria, VA 22314  
Tel. (703) 519-9957  
Fax. (703) 519-9958